

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**MARGARET MAZUR,**

Plaintiff,

v.

**SOUTHWESTERN VETERANS  
CENTER & DEPARTMENT OF  
MILITARY AND VETERANS  
AFFAIRS,**

Defendants.

Civ. A. No. 17-826

**ORDER**

**AND NOW**, this 7<sup>th</sup> day of August, 2019, for the reasons set forth in the accompanying findings of fact and conclusions of law and on the record at the hearing held on November 29, 2018, the motion for sanctions for spoliation (ECF No. 112) filed by pro se plaintiff Margaret Mazur (“Mazur”) is **HEREBY GRANTED** with respect to the belatedly-produced notes from the predisciplinary conference (“PDC”) held on May 26, 2016, and **DENIED** with respect to the bank teller sheet;

**IT IS FURTHER ORDERED** that defendants as a sanction must pay the reasonable out-of-pocket costs, including travel costs, incurred by Mazur in repeatedly requesting from defendants the notes from the PDC and attending the hearings on November 29, 2018, and January 22, 2019;

**IT IS FURTHER ORDERED** that Mazur within fourteen days of the issuance of this order shall submit to defendants Southwestern Veterans Center and Department of Military and Veterans Affairs a certified affidavit setting forth an itemized statement of her reasonable out-of-pocket costs incurred each time she requested the handwritten PDC notes after her initial request and costs for attending the hearings on November 29, 2018, and January 22, 2019; and

**IT IS FURTHER ORDERED** that any dispute about Mazur’s itemized statement shall be brought to the attention of the court via the filing of a motion to determine the reasonableness of the costs.

**IT IS SO ORDERED.**

/s/ JOY FLOWERS CONTI

Joy Flowers Conti

Senior United States District Judge